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Attorneys for Plaintiff  
Bartell Hotels, a California Limited Partnership,  
dba Half Moon Anchorage

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

BARTELL HOTELS, A California Limited  
Partnership, dba HALF MOON ANCHORAGE,

Plaintiff,

v.

M/Y CLAIRE IRENE, a 1968 Owens Motor  
Yacht of Approximately 40-Foot In Length And  
11-Foot In Beam, Bearing California D.M.V.  
Registration No. CF 8646 ED, AND ALL OF  
HER ENGINES, TACKLE, ACCESSORIES,  
EQUIPMENT, FURNISHINGS AND  
APPURTENANCES, *in rem*,

Defendant.

Civil No. 07 CV 2097 L (BLM)

IN ADMIRALTY

AMENDED NOTICE OF MOTION  
AND MOTION FOR DEFAULT  
JUDGMENT BY COURT

F.R.C.P. Supplemental Admiralty  
Rule E(9)

SUBMITTED ON PAPERS  
(Oral Arguments Not Requested)

Date: July 14, 2008

Time: 10:30 a.m.

Judge: Hon. M. James Lorenz

**TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

**PLEASE TAKE NOTICE** that on July 14, 2008, at 10:30 a.m., or as soon thereafter  
as the matter may be heard in Courtroom 14 (5th Floor) of the Southern District Court  
located at 880 Front Street, San Diego, California 92101, Plaintiff BARTELL HOTELS, a  
California Limited Partnership, dba HALF MOON ANCHORAGE will and hereby does  
respectfully move the Court:

For entry of an Order of Default Judgment By Court in favor of Plaintiff and against  
the in rem Defendant M/Y CLAIRE IRENE, a 1968 Owens Motor Yacht of Approximately  
40-Foot In Length And 11-Foot In Beam, Bearing California D.M.V. Registration No. CF

1 8646 ED, and all of her engines, tackle, accessories, equipment, furnishings and  
2 appurtenances.

3 Said Motion is based upon this Notice of Motion, the Declaration of Brad Oliver in  
4 Support of Motion for Default Judgment By Court, the Declaration of Philip E. Weiss in  
5 Support of Default Judgment By Court, the Memorandum of Points and Authorities in  
6 Support of Motion for Default Judgment By Court, all records and pleadings on file with the  
7 Court, and such oral arguments as the Court may require. Oral argumentation is not  
8 requested.

9 This Amended Notice of Motion follows and supercedes the original Notice of  
10 Motion, which incorrectly reflected a hearing date of June 16, 2008, rather than the correct  
11 hearing date of July 14, 2008. Plaintiff's counsel regrets and apologizes for any  
12 inconveniences caused by this error.

13 DATED: May 30, 2008 WEISS & JONES, L.L.P.

14  
15 By: s/Philip E. Weiss  
16 Attorneys for Plaintiff  
17 Bartell Hotels, a California Limited  
18 Partnership, dba Half Moon Anchorage  
19 E-mail: shiplaw@earthlink.net  
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5 Attorneys for Plaintiff  
Bartell Hotels, a California Limited Partnership,  
6 dba Half Moon Anchorage  
Attorney for Plaintiff  
7

8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
10

11 BARTELL HOTELS, A California Limited  
Partnership, dba HALF MOON ANCHORAGE,

12 Plaintiff ,  
13

14 v.

15 M/Y CLAIRE IRENE, a 1968 Owens Motor  
Yacht of Approximately 40-Foot In Length And  
16 11-Foot In Beam, Bearing California D.M.V.  
Registration No. CF 8646 ED, AND ALL OF  
HER ENGINES, TACKLE, ACCESSORIES,  
17 EQUIPMENT, FURNISHINGS AND  
APPURTENANCES, *in rem*,

18 Defendant.  
19

Case No. 07 CV 2097 L (BLM)

IN ADMIRALTY

DECLARATION OF SERVICE

F.R.C.P. Supplemental Admiralty  
Rules C and E.

46 U.S.C. Sections 30101-31343

20  
21 **DECLARATION OF SERVICE**

22 **STATE OF CALIFORNIA, COUNTY OF SAN DIEGO**

23 I am employed in San Diego County, State of California. I am over the age of eighteen (18)  
24 and not a party to this action; my business address is 1551 Shelter Island Drive, San Diego,  
25 California 92106. On May 30, 2008, I served the following document(s) described as:

26 - **Amended Notice of Motion and Motion For Default Judgment By Court**

27 ///

28 ///

DECLARATION OF SERVICE

1 on the interested parties in Case No. 07 CV 2097 L (BLM) by placing ☐ the original ☒  
2 a true copy thereof enclosed in a sealed envelope addressed as follows:

3 Mr. Kurt Hach

4 19918 Chase Street

5 Canoga Park, CA 91306

6 ☐ **(BY PERSONAL SERVICE):** Personal service accomplished by ☐ attorney service or  
7 ☐ \_\_\_\_\_, employed by Weiss & Jones.

8 ☐ **(BY FACSIMILE AS INDICATED ABOVE):** I caused the foregoing document(s) to be  
9 sent via facsimile transmission to the above addressee(s) at the facsimile numbers indicated above.

10 ☒ **(BY U.S. MAIL AS INDICATED ABOVE):** As follows: I am "readily familiar" with the  
11 firm's practice of collection and processing correspondence for mailing. Under that practice it would  
12 be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at San  
13 Diego, California in the ordinary course of business. I am aware that on motion of the party served,  
14 service is presumed invalid if postal cancellation date or postage meter date is more than one day  
15 after deposit for mailing in affidavit.

16 ☐ **(STATE):** I declare under penalty of perjury under the laws of the State of California that  
17 the foregoing is true and correct.

18 ☒ **(FEDERAL):** I declare that I am employed in the office of a member of the bar of this court  
19 at whose direction the service was made.

20 Dated: May 30, 2008



21 Tamara Geehan

22 c:\arrest-sdcal-clientsub\proofservice